

ENVIRONMENTAL PROTECTION AGENCY  
REGION I - BOSTON

CLASS. NO. 1200  
DELEGATION NO. 2-13

DELEGATION OF AUTHORITY

DATE: 2/22/17

CLEAN WATER ACT

2-13. Inspections and Information Gathering

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 2-13 issued by EPA Headquarters on January 17, 2017.

311: B. Authority. Pursuant to the Clean Water Act (CWA), including Sections 308 and

- a. to enter into, upon, or through any premises subject to the CWA, or in which records required to be maintained under the CWA are located, have access to and copy records, take samples, and inspect monitoring equipment and methods;
- b. to require the owner or operator of any point source to establish and maintain records, make reports, install, use and maintain monitoring equipment, sample effluents, and provide information;
- c. to obtain warrants for the purpose of performing an inspection or information gathering;
- d. to execute warrants for the purpose of performing an inspection or information gathering;
- e. to carry out any other inspection and information gathering activities authorized by the CWA;
- f. to require the carrying out of any other inspection and information gathering activities authorized by the CWA; and
- g. to designate representatives of the Regional Administrator to perform the functions specified in paragraphs 1.B.a. through 1.B.f.

2. TO WHOM REDELEGATED.

A. The authority to perform the functions in paragraph 1.B.a. through 1.B.g are redelegated to the Director, Office of Ecosystem Protection (OEP), the Director, Office of Environmental Stewardship (OES), the Director, Office of Environmental Measurement and Evaluation (OEME), and the Director, Office of Site Remediation and Restoration (OSRR), who

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may exercise this authority independently.

B. In OES, the authority to perform the functions in 1.B.a., 1.B.d., and 1.B.e. is further redelegated by the Director, OES, to the staff level, and no further.

C. In OES, the authority to perform the functions in 1.B.b., 1.B.f., and 1.B.g. is further redelegated by the Director, OES, to the Manager, Technical Enforcement Office

D. In OSRR, the authority to perform the functions in 1.B.a., 1.B.d., and 1.B.e. is further redelegated by the Director, OSRR, to the On-Scene Coordinators and credentialed inspectors, Emergency Planning and Response, OSRR, and no further.

3. REDELEGATION AUTHORITY.

A. The authorities in 1.B.a., 1.B.d, and 1.B.e. may be redelegated to the staff level, and no further.

B. The authority in 1.B.b., 1.B.f., and 1.B.g. may be redelegated to the Section Chief level and no further.

C. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. Prior to obtaining warrants, the Directors, OEP, OEME and OSRR, must consult with the Director, OES, or his/her designee, unless this consultation is waived by the Director, OES.

B. Prior to obtaining warrants, the Directors OES, OEP, OEME, and OSRR shall consult with the Manager, Legal Enforcement Office, OES, or his/her designee, regarding the legal sufficiency of the action.

C. The Manager, Legal Enforcement Office, OES, or his/her designee, is responsible for any necessary consultation with the Regional Counsel, or his/her designee, regarding significant counseling issues related to warrants.

D. Regional Administrator must consult with Regional Counsel, or his/her designee, prior to requesting warrants.

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E. These authorities may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

F. The AA for the Office of Land and Emergency Management (OLEM) can exercise these authorities for the purposes of rulemaking pursuant to Section 311 of the CWA, and for implementing Section 311 of the CWA and its implementing regulations.

G. The AA for OECA, the AA for OLEM, and the AA for the Office of Water (OW) must notify the appropriate Regional Administrator prior to exercising any of the authorities specified in 1.B.a. through 1.B.e., except in the case of nationally managed programs.

H. The AA for OW and the AA for OLEM must consult with the AA for OECA prior to requesting warrants.

5. ADDITIONAL REFERENCES.

A. Sections 308 and 311 of the CWA, and regulations developed thereunder.

B. U.S Environmental Protection Agency Order 3510, *EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.*

6. SUPERSESSON. Region I Delegation 2-13, dated May 1, 2009.

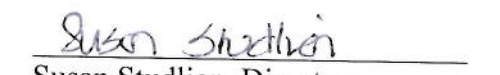
  
Deborah A. Szaro

Acting Regional Administrator

2/22/17  
Date

  
Bryan Olson, Director  
Office of Site Remediation and Restoration

2/16/17  
Date

  
Susan Studlien, Director  
Office of Environmental Stewardship

02/17/2017  
Date